Reserve

Nagpur

App I IX 4

*Previous References* 1934-35 (MK)

File No. 259-34

Serial Nos 1 and 2

*Later References*

PRESERVED

# GENERAL AND REVENUE SECRETARIAT

*Serial Nos*

**Part B for** July 35

**SUBJECT**

Construction of Three chhatris opposite to Annamma Temple, Bangalore City

Recorded in new series

WD 01965—GPB—15 000—7 7-34

July 11 10

| Serial No | |
|---|---|
| | 2) The connected file is placed below<br>RSM 28/2 AM<br>3) Chief Secy) AM 28/2<br>4) Please speak<br>RS 2/3/33<br>5) Application for grant of licence for the construction of theatres on two vacant land opposite to Annamma Temple on the Subedar chatram Road having been made to the Municipality by one Mess H Krishnaswami Iyer & Mr H Bhadrappa on behalf of one Mr Dhondusa, the Mgt called |

NOTE—Contn Sheet

WD 0 955—GPE—22 500—12-6 31

Construction of theatres opposite to Annamma temple, Bangalore

File No of 193 | General and Revenue Secretariat

additional information from the parties before the licence was granted Mr Nagappa proceeded with the construction A suit has therefore been instituted against them by the Rev in the Civil Munsiffs Court Bangalore & is pending

6 In this connection it was found by the Mc Cann & reported to Govt that the land on which Mr Nagappa wanted to construct the theatre was an agricultural land purchased by the Amateur Dramatic Association & that the latter obtained sanction of Govt for waiving the conversion fee for erecting a theatre on the land for the use of the Association This waiver having been sanctioned subject to the condition that the building should be used for the advancement of the public not for any remunerative purpose, the Mc Cann reported that necessary action may be taken against the present owner of the land for the violation of the said condition This question has been referred to the Rev Dept & the Law Section for remarks

7 In regard to Mr Madrappas application it was also reported by the Asst Com that the Revenue Authorities have given permission to Mr Dhondusa on 22 12 34 to convert the land into non agricultural purposes without consulting the Municipality as is invariably done in all such cases

who since purchased the land from Mr Krishnaswamy

Flag E (linked to)

Flag C (linked to)

Construction of theatre opposite to Annamma Temple, Bangalore city

5113 P 134

35 3651

General and Revenue Secretariat | File No | of 193 | [App F III—2

Serial No

PUD

Last para of letter flagged

Linked file

DEWAN'S OFFICE 6 MAR 1935 No 5122

CHIEF SECRETARY 5 MAR 1935

SECOND MEMBER OF COUNCIL 5 MAR 1935 No 3616

8 The Dycam DO letter in question relates refers to the two cases, referred to the Dycam has taken exception to the statement made by the Revd Cent in regard to Mr Dhandusa's case

for perusal

Chief Sec) 4/3

9 Subd for perused no action is called for on the part of Govt

RR 4/3/35 4/3

Dy Secy 5/3

Dewan

JPR 5/3

6-3-35

JPR 7/3

RR 8/3/35 8/3

The linked file Madras returned to the Law Secretariat 8/3

Law Secretariat may for kindly taking back the file & refer this for file

Linked file returned 8/3

Law Secy 9/3

8/8/35

WD 019 5—GPB—22 500—12 6-34

DE—Cover Sheet

385

File No | of 193 | General and Revenue Secretariat

G.O. No. R 434-38/L R 273-34-4 dated 16-7-35 cancelling the G.O. of 18-2-30 granting permission to the Amateur Dramatic Assn. to construct a theatre opposite to Annamma Temple Bangalore city on an agricultural land after recovering only 25 years' assessment and withdrawing the permission to convert agricultural land for non-agricultural purpose.

Submitted for perusal the papers may be filed

Rowr 19/7 19/7

Yes 22/7

B 22/7

D O C5 2524/34-35

M K V ANANTARAMAN
D UTY COMM SS ON

BANGALORE
Dated the 27th February 1935

Dear Sir,

Reference --Your letter No C3 4487/34-35 dated 31st January 1935 to Government (copy of which was received with your letter of the 20th instant) regarding the attempted construction of Theatres in Subedar Chattram Road by Messrs C R Nagappa and Dhondusa

—:oOo:—

So far as the land on which Mr. Nagappa is attempting to construct a Theatre is concerned, permission to convert it to non-agricultural purposes was given to the Amateur Dramatic Association by the Sub Division Officer on condition that a conversion fine of Rs 750/- per acre was paid The Association appealed to Government for exemption from this payment and Government in their order No R 5671-73/L R 290-29-4 dated 18-2-1930 reduced the fine to 25 year assessment, but the Association did not pay even this amount and acquire the right to use the land for non-agricultural purposes In these circumstances, I have directed the Amildar to issue a notic to the transferee Mr Nagappa that the permission granted conditional to the Amateur Dramatic Association does not entitle him to use the land for non-agricultural purposes The Amildar has got a notice to this effect served on Mr. Nagappa

As regards the other case Viz , that of Dhondusa referred to in your letter to Government of the 31st January 1935, permission to convert this land for non-agricultural purposes was granted so far back as 18-2-1930 The practice of consulting the Municipal authorities regarding applications for the conversion of agricultural lands within the City limits to non-agricultural purposes was started by me in 1931 I must take exception to the last sentence of your letter to Government where you say that the Revenue authorities granted permission to Mr Dhondusa on the 22nd December 1934 after the meeting of the City Improvement Committee without consulting the Municipality as is invariably done in all such cases It contains an unfair and improper suggestion that the Revenue authorities assisted a private individual in his attempt to evade the consequences of a decision arrived at by the Municipal

I repudiate

I repudiate this suggestion and wish to add that it would have been more appropriate if before writing in this manner to Government you had verified the actual facts I am sending a copy of this letter to Government for their information

Yours sincerely,

Sd/-K V Anantaraman

To SRS ADRI, ESQ, M A,
Municipal Commissioner,
Bangalore City

"C O P Y"

K V Anantaraman
DEPUTY COMMISSIONER,
BANGALORE DISTRICT

SVS 27-2-35

Mysore

ME 259-34-2

# PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

306/2

Read —

Government Order o 5671-73/ N 290-29-4 dated 18th February 1930 granting permission to the Amateur Dramatic Association of Bangalore to construct a theatre on a portion of Agricultural land in No 12 of Hanumanthapur Village, Bangalore Taluk, after recovering only 25 years' assessment from them without any fine leviable under the Revenue law

2 Memorials and telegrams dated 5th January 1935 from the residents and owners of houses in Subedar Chuttram road and Kempe Gowda road protesting against the construction of a Theatre on the land referred to above by Hoskote Bhadrappa and C R Nagappa who had purchased the land in question

3 Correspondence ending with letter o C 3/4487-34/35 dated 8th February 1935 from the Municipal Commissioner, Bangalore City and letter No C 4055/34-35 dated 13th June 1935 from the Revenue Commissioner in Mysore furnishing their opinions on the subject

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ORDER NO: R 434-38/LR 273-34-4

Dated, Bangalore, the 16th July 1935

The ownership of the portion of Survey No 12 of Hanumanthapur Village in Bangalore Taluk which originally belonged to the Amateur Dramatic Association has passed to Mr C R Nagappa, Proprietor of the Dairy Farm, Civil and Military Station, Bangalore Mr Nagappa attempted to construct a Theatre on the land without the necessary permission from the Municipal or revenue authorities concerned and the residents of the locality submitted memorials and telegrams to Government protesting against his action on the ground that there were already three theatres in the neighbourhood and addition of a fourth would prove to be a great nuisance

The Municipal Commissioner issued a prohibitory notice and also obtained an injunction from the court of the First Munsiff of Bangalore to stop the construction of work undertaken by Mr Nagappa.

From a perusal of the records, Government observe that permission was accorded in their order of 18th February 1930 read above to the Amateur Dramatic Association for the construction of a Theatre on the land referred to above subject to the condition that the buildings continue to be used for the object then put forward and are not utilised for any other remunerative purpose Only 25 years' assessment was ordered to be recovered from the Association without any special fine and a Mutchalika was directed to be got executed in this behalf But the Association has neither paid the 25 years' assessment nor executed the Mutchalika

The land therefore still continues to be an agricultural land and the Association could only sell it as such Any purchaser from the Association cannot in these circumstances lay claim to the benefits of the Government Order of 18th February 1930 or insist on permission being granted on his performing his part of the obligation Government are therefore pleased to cancel the said order and to direct that permission granted for the conversion of the agricultural land to a non-agricultural purpose be withdrawn

Sambarayappa
For Chief Secretary to Government

To

The Revenue Commissioner in Mysore, with records
" Deputy Commissioner, Bangalore Division
" Director of Land Records in Mysore
" President, City Municipal Council, Bangalore City
" Comptroller to Government

C Jy G L S 9 Branch

C R S